

Data protection information for business partners of BAUER Foundations Philippines, Inc



We hereby inform you about the processing of your personal data as our business partner and the rights granted to you under the data protection law.

Who is responsible for the data processing and who is the data protection officer?

Responsible for data processing is:

BAUER Foundations Philippines, Inc. (BFPI)
12th Floor Units A-K, Cyber One Building, 11
Eastwood Avenue, Eastwood City Cyberpark,
Bagumbayan, Quezon City 1110 Metro Manila
Tel.: +63 2 8424 8760 to 62
E-Mail: info@bauer.net.ph

You can reach our Data Protection Officer at:

BFPI Data Protection Officer
12th Floor Units A-K, Cyber One Building, 11
Eastwood Avenue, Eastwood City Cyberpark,
Bagumbayan, Quezon City 1110 Metro Manila
Tel.: , +63 2 8424 8760 to 62
E-Mail: bfpido@bauer.net.ph

What personal data do we have and where does this data come from?

We process personal data that we have legitimately received from our business partners, from other companies of the BAUER Group, or from other third parties in order to initiate a contract or in connection with our business relationship, or the data that we have legitimately obtained from publicly available sources (e.g. commercial registers, credit bureaus, internet) and which we are allowed to process, such as: name, address, other contact information (such as telephone number, fax, e-mail address), occupation, job position, company, payment details, credit data, documentation data (minutes of meetings), tax ID.

For what purposes and on what legal basis is data processed?

We process your personal data in accordance with the provisions of the Data Privacy Act of 2012 for the following purposes:

a. For the fulfilment of contractual obligations

The processing of personal data takes place in order to carry out our contracts with our business partners or to carry out pre-contractual measures, which take place at the request of the business partners. The purposes of the processing in detail are according to the contractual services and the respective contract documents and include needs analysis, consulting and order processing including the creation of offers, delivery notes and invoices as well as after-sales services.

b. For legitimate interest

If necessary, we process business partner data beyond the actual fulfilment of the contract for the protection of our legitimate interests or of those of third parties, for example,

- Consultation with credit bureaus (such as Bürgel) to identify credit risk,
- Advertising, market and opinion research as well as invitation to corporate events, as long as you have not objected to the use,
- Creation of business partner history / profile
- Data transfer to branches or sales partners responsible for you,
- Visitor Management,
- Exercise of and defense against legal claims,

c. On the basis of your consent (Chapter III, Section 12 of the Data Privacy Act of 2012)

Insofar as you have given your consent to the processing of personal data, the respective consent is the legal basis for the processing mentioned therein. Any consent granted may be revoked informally at any time for the future, without duly affecting the legality of the processing already carried out on the basis of the consent until the revocation.

d. Due to legal obligations

To the extent that we are required to comply with legal obligations (e.g. money laundering legislation, tax laws, export control regulations, anti-terrorism provisions) and requirements of national or foreign supervisory or investigating authorities, as well as taxation and reporting related obligations, personal data is also processed for compliance with legal obligations and legitimate regulatory requirements.

Who gets your data?

Within our organization, the entities that need your personal information to fulfil our contractual and legal obligations are the ones who gain access to your personal information. Also, affiliated companies, service providers, processors, subcontractors and vicarious agents, as well as other third parties employed by us for the provision of services in particular, may receive data for the aforementioned purposes.

These are undertakings in the categories: distribution partners, IT services, accounting services, logistics, payment services, telecommunications, debt collection, public authorities and institutions (e.g. financial and customs authorities, law enforcement agencies, courts) in the presence of a legal or regulatory obligation, insolvency administrator under a bankruptcy proceedings, insurance companies, auditors, tax consultants, lawyers.

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Is your data transmitted to a third country or international organization?

A transfer of data to offices in countries outside the Philippines or Asian Countries takes place, as far as it is necessary for the execution of contractual services (e.g. delivery orders), it is required by law (e.g. tax reporting obligations), you have given us your consent, or as part of an order processing. However, the transfer will only take place if the National Privacy Commission has confirmed to the other countries an adequate level of data protection, if there are other appropriate data protection safeguards (such as standard contractual clauses).

For how long will your data be stored?

Your data will be stored by us only as long as it is necessary for the provision of the service to you. Thereafter, such data will be erased, if there are no other legal obligations to retain the data, in particular with regard to commercial and tax retention periods (up to 10 years), if the data is necessary for the assertion, exercise or defense of legal claims under the applicable statute of limitation (up to 30 years) or if a legitimate interest of the responsible person exists.

Is the provision of data mandatory?

As part of our business relationship, you must provide only that personal information that is required for the establishment, implementation and termination of a business relationship or information that we are legally obliged to collect (in particular, anti-money laundering identification obligations or checking list of sanctions). Without this data, we may have to refuse to conclude a contract or to execute a contract or we may not be able to implement an existing contract and may possibly have to terminate it.

To what extent do automated individual regulatory decisions or profiling measures take place?

We do not use purely automated processing to make decisions.

What rights can you exercise as the person concerned?

You have the (1) Right to be Informed: Data subjects have the right to be informed whether their personal data is being processed, including details about the purpose, scope, and recipients of the data; (2) Right to Access: Individuals can request access to their personal data held by organizations, allowing them to know what information is being processed and for what purposes; (3) Right to Object: Data subjects can object to the processing of their personal data, especially for direct marketing purposes. If they object, the organization must cease processing unless there are compelling legitimate grounds for the processing; (4) Right to Rectification: Individuals have the right to request the correction of inaccurate or incomplete personal data without undue delay; (5) Right to Erasure or Blocking: Data subjects can request the deletion or blocking of their personal data if it is no longer necessary for the purposes for which it was collected, or if they withdraw consent; (6) Right to Data Portability: Individuals can obtain their personal data in a structured, commonly used, and machine-readable format, and can transmit it to another data controller; (7) Right to Damages: Data subjects are entitled to seek compensation for damages sustained due to inaccurate, incomplete, or unlawfully processed personal data; and (8) Right to file a Complaint (Chapter III, Section 16 of the Data Privacy Act of 2012 or R.A. 10173)

Insofar as the processing of the personal data is based on your consent, you have the right to revoke the consent at any time without affecting the legality of the processing based on the consent up until the revocation.

You also have the option to lodge a complaint with the above-mentioned data protection officer or to a data protection supervisory authority.